

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

**\* CRIMINAL DOCKET NO. 08-306**

**V.**

**\* SECTION: "S"**

**JOSE ALFREDO GONZALES**

**\***

**a/k/a Jose Alfredo Gonzalez**

**a/k/a Jose Gonzales-Vega**

**\***

**\* \* \***

**FACTUAL BASIS**

Should this matter have gone to trial, the Government would have proved beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible exhibits, the following facts to support the allegations charged by the Superseding Bill of Information now pending against the defendant, **JOSE ALFREDO GONZALES** (hereinafter "**GONZALES**").

The Defendant, **JOSE ALFREDO GONZALES** (hereinafter "**GONZALES**"), has agreed to plead guilty as charged to the one-count Superseding Bill of Information charging him with false statements or entries, in violation of Title 18, United States Code, Section 1001.

An official with the New Orleans Passport Agency would testify that the New

Orleans Passport Agency (hereinafter “Passport Agency”) was an agency of the United States Department of State within the executive branch of the government of the United States of America. Further, an official with the Passport Agency would testify that individuals who want to acquire a United States passport apply through the Passport Agency. The Passport Agency was responsible for reviewing passport applications, requesting further documentation to supplement passport applications, and then deciding whether to issue a United States Passport to the applicant.

A special agent with the United States Department of State, Diplomatic Security Service (hereinafter “agent”) would testify that it was his duty to investigate potential criminal violations of the federal statutes governing the issuance and use of United States passports. The agent would testify that on or about September 17, 2007, an Application for a U.S. Passport (DS-11) was executed, in person, at the St. Landry Parish Clerk of Court in Opelousas, Louisiana in the name of Jose Alfredo Gonzales, born in Brownsville, Texas on July 5, 1939, with Social Security Number 520-44-4055. Page 1, Question 17 of the passport application asked whether the applicant had ever applied for or been issued a United States passport. This question was marked “No”.

The applicant used two Texas birth certificates as proof of citizenship and identity. The applicant filed the passport application and took an oath administered by the acceptance clerk, affirming that the information in the application was true and signed the

application.

The agent would testify that due to fraud indicators on the aforesaid passport application, a passport specialist in New Orleans, Louisiana, referred the matter to the Diplomatic Security Service for investigation. These fraud indicators include the facts that an individual using this same identity had earlier obtained a United States passport and had applied for another United States passport that was not issued. As part of his investigation, the agent will testify that on November 21, 2008 he sent a letter to the applicant to invite him to come to the Passport Agency Office and pick up his new passport.

Testimony from an official from the Passport Agency and other admissible exhibits would be introduced to prove that on December 1, 2008, **GONZALES** appeared in the Passport Agency Office in New Orleans, in the Eastern District of Louisiana, to inquire about his passport. **GONZALES** was asked by the Passport Agency acceptance clerk to submit a second passport application. Documentary evidence from the Passport Agency would be introduced to show that **GONZALES** then filed the second passport application and took an oath administered by the acceptance clerk, swearing and affirming that the information contained in the application was true, and signed the application. This second passport application again listed **GONZALES**'s Social Security number as 520-44-4055 on Page 1, Question 5.

Shortly thereafter, the agent interviewed **GONZALES** concerning his application.

**GONZALES** was read his Miranda rights. He stated that he was Jose Alfredo Gonzales and his Social Security number was 520-44-4055.

Record checks through the Social Security number Death Index revealed that Social Security number 520-44-4055 belonged to an individual named Jose Alfredo Gonzalez, who died on May 26, 2007. The Texas Bureau of Vital Statistics verified that an individual named Jose Gonzalez with the date of birth of July 5, 1939 and Social Security number 520-44-4055 died on May 26, 2007, and a Certificate of Death confirming this information was issued on June 25, 2007. Competent testimony would further be introduced to prove that the deceased individual, Jose Gonzalez, was issued Social Security number 520-44-4055.

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ROBERT WEIR Special Assistant United States Attorney	Date
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JOSE ALFREDO GONZALES Defendant	Date
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EDWARD P. SILLAS Attorney for Defendant	Date
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